



POLICE DEPARTMENT

April 1, 2021

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In the Matter of the Charges and Specifications	:	Case Nos.
- against -	:	2017-18086
Police Officer Danielle Alamrani	:	2018-19055
Tax Registry No. 942793	:	2019-20413
17 <sup>th</sup> Precinct	:	

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At: Police Headquarters  
One Police Plaza  
New York, NY 10038

Before: Honorable Nancy R. Ryan  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Jamie Moran, Esq.  
Department Advocate's Office  
One Police Plaza  
New York, NY 10038

For the Respondent: Craig Hayes, Esq.  
Worth, Longworth & London, LLP  
111 John Street, Suite 640  
New York, NY 10032

To:

HONORABLE DERMOT F. SHEA  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

## CHARGES AND SPECIFICATIONS

### Disciplinary Case No. 2017-18086

1. Said Police Officer Danielle Alamrani, while assigned to the 17<sup>th</sup> Precinct on or about and between May 8, 2016, and July 10, 2016, did wrongfully make computer inquiries on a Department computer unrelated to the official business of the Department.

P.G. 219-14, Page 1, Paragraph 2

DEPARTMENT COMPUTER  
SYSTEMS

### Disciplinary Case No. 2018-19055

1. Said Police Officer Danielle Alamrani, while assigned to the 17<sup>th</sup> Precinct, on or about November 16, 2017, inside the 17<sup>th</sup> Precinct Stationhouse, did fail and neglect to perform said officer's duties, to wit: said officer failed to conduct a proper investigation and failed prepare a Complaint Report (UF-61) as required.

P.G. 203-05, Page 1, Paragraph 1

POLICE OFFICER – DUTIES AND  
RESPONSIBILITIES

### Disciplinary Case No. 2019-20413

1. Said Police Officer Danielle Alamrani, while assigned to the 17<sup>th</sup> Precinct, on or about December 23, 2017, was absent from said assignment without permission or police necessity.

P.G. 203-05, Page 1, Paragraph 2

PERFORMANCE ON DUTY –  
GENERAL REGULATIONS

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on October 15, 2020, and February 22, 2021. Respondent, through her counsel, entered a plea of Not Guilty to the subject charges. The Department called Sergeant Ravi Singh, Sergeant Shuzhen Wong, Lieutenant Gzim Palaj, and Police Officer Evrody Seide as its witnesses. Respondent testified on her own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I find Respondent Guilty of the charged misconduct in *Disciplinary Case Nos. 2018-19055 & 2019-20413*. For *Disciplinary Case No. 2017-18086*, I find that the Department has

failed to meet their burden of proof, and, therefore, find Respondent Not Guilty of the sole specification. Accordingly, I recommend that Respondent forfeit ten (10) vacation days.

## ANALYSIS

Respondent has been charged with three distinct allegations of misconduct stemming from three separate incidents that occurred on different dates. I will address each one individually.

### Disciplinary Case No. 2017-18086

Respondent is charged with wrongfully making computer inquiries, unrelated to the official business of the Department, on or about or between May 8, 2016, and July 10, 2016. It is undisputed that on those two dates, Respondent used a Department computer to run her husband's license plate. She never submitted the Department's parking permit application regarding her husband's plate number.

Respondent testified that she ran her husband's plate because she wanted to submit an application for a Department parking permit for both her car and her husband's car, which she sometimes used. From her experience at prior commands, the procedure for obtaining a permit was to run both the driver's record and the car's license plate record herself, and then attach the records to an application submitted to the Integrity Control Officer ("ICO"). Respondent also followed this procedure, under the direction of the ICO's Office at the 17<sup>th</sup> Precinct, to obtain her most recent permit. She indicated that the Patrol Guide allows the ICO to have a designee conduct the background checks needed for the permits. (Tr. 83-85, 105)

Regarding the two dates charged, Respondent testified that she had permission from SPAA Solomon, a civilian aide that worked in the ICO's Office at the 17<sup>th</sup> Precinct, to run the

plates for the permit application. Since the first application for her husband's car did not go through, Respondent ran the plate for the second time and prepared another application. She ultimately did not file the application because she was told that it would take over one month to process, and she would no longer need the parking permit at that later date. (Tr. 100-103)

Patrol Guide Section 219-29 discusses the distribution and use of NYPD Restricted Parking Permits. Under this section, it is the responsibility of the ICO/Designee to conduct the integrity control backgrounds using zFINEST RALL to check the NYS Vehicle Registration by Plate Number. In this case, the Department has failed to provide sufficient evidence regarding the procedure in place at the 17<sup>th</sup> Precinct for the application of parking permits on the dates charged. While Sergeant Wong and Sergeant Singh testified that the ICO has responsibility for performing the required license plate checks, their testimony was not specifically tied to the Respondent's application in question. It cannot be ruled out that the ICO, on the two incident dates, designated the civilian employee, SPAA Solomon, to authorize Respondent to run the license check of her husband's plate. As the Department has not met its burden of proof, I find the Respondent Not Guilty of this sole specification.

Disciplinary Case No. 2018-19055

Respondent is charged with failing to conduct a proper investigation and failing to prepare a complaint report on November 16, 2017, inside the 17<sup>th</sup> Precinct.

It is undisputed that, on the aforementioned date, Respondent was on-duty, worked a 0705 x 1538 tour, and was initially assigned to the telephone switchboard ("TS"). She requested and was granted lost time to end her tour at 0900 hours. At approximately 0844 hours, Respondent was standing at the side of the TS desk, while Officer Seide, who replaced Respondent at the TS assignment, was sitting in the TS desk's chair. A woman (hereinafter

"Complainant") entered the 17<sup>th</sup> Precinct and approached the TS desk. Complainant had a cut lip and stated that she had been assaulted on the subway.

No complaint report was prepared by either Officer Seide or Respondent. After Officer Seide instructed Complainant to report the incident to Transit District 34, Complainant left the precinct. Later that day, she returned to the 17<sup>th</sup> Precinct to again report the assault. Respondent was not present. Officer Seide ultimately received charges and specifications for failing to prepare a complaint report and received a penalty of the loss of ten (10) days. The issue in this case is whether Respondent also failed to perform required police duties by failing to prepare a complaint report.

Both Officer Seide and Respondent testified at trial concerning this incident. Officer Seide stated that on November 16, 2017, she had been assigned to work at the TS desk. She acknowledged that when Complainant entered the precinct that morning, Respondent was standing next to Officer Seide and remained standing next to her throughout the time that Complainant was at the TS desk. Officer Seide also acknowledged that she observed that Complainant seemed upset and had a "busted lip." According to Officer Seide, while Complainant said that she was hit in the face on the "C" train and provided a description of her assailant, a male with a black scarf, Complainant was uncooperative when she tried to render her help. Officer Seide also testified that Respondent had no interaction with Complainant since Complainant mostly spoke only to Officer Seide. During Officer Seide's interaction with Complainant, Officer Seide asked Respondent what Transit District covered the "C" train, and Respondent told her it was Transit District 34. (Tr. 70-71, 74-75)

Respondent testified that on November 16, 2017, she was pregnant and not in uniform during her tour. After being granted lost time, she went to the TS desk to say goodbye to Officer

Seide, whom she described as a friend. Respondent stated that she was at the TS desk when Complainant entered the 17<sup>th</sup> Precinct. She testified that she was not paying attention to the conversation that occurred between Officer Seide and Complainant. Respondent recalled that Complainant said the "N" line, and was proud she could tell them the Transit District that covered that location. Respondent denied that she had any other dialogue with Complainant and testified she never said she felt sorry for Complainant. (Tr. 91-99)

Respondent further testified that she had an exemption from taking complaint reports since EEO told her that the command did not need her to take complaint reports. If a complaint report needed to be completed, she would have notified another Member of Service to prepare the report. (Tr. 99)

Video footage, that did not include audio, from the 17<sup>th</sup> Precinct surveillance camera showing the front door, main entryway area, and TS desk, captured Complainant's encounter with Officer Seide and Respondent (Dept. Ex. 1). The video showed Complainant enter the 17<sup>th</sup> Precinct and approach the TS desk where Officer Seide was seated and Respondent was standing at the side of the desk (Dept. Ex. 1, at 8:44:50). Complainant began speaking while facing Officer Seide, and Respondent, at this time, was approximately two feet away from Complainant with her body and face angled toward Complainant (Dept. Ex. 1, at 8:44:58). Complainant wiped her eyes and appeared to be crying at certain points throughout the video (Dept. Ex. 1, at 8:46:24-8:47:09). For approximately seven and a half minutes, Complainant stood at the TS desk and appeared to mainly look towards Officer Seide. At several points, she also looked directly at and appeared to speak to Respondent (Dept. Ex. 1, at 8:48:45). For approximately one minute, while Officer Seide reached down towards the floor and was off camera, Complainant was clearly speaking directly to Respondent; Respondent spoke to Complainant and made a

gesture towards the door (Dept. Ex. 1, at 8:48:45-8:50:00). Officer Seide handed Complainant a piece of paper (Dept. Ex. 1, at 08:50:06). Respondent pointed to the paper and appeared to speak to Complainant about it (Dept. Ex. 1, at 8:50:27-8:52:14). The conversation ended, and Complainant took the paper, appeared to smile, and left the precinct (Dept. Ex. 1, at 08:52:15-8:52:31). (Dept. Ex. 1; Tr. 27, 29-30, 37)

Sergeant Wong, who investigated the incident, also testified at trial. She stated that the Department became aware, through the media and news articles, that Complainant went to the 17<sup>th</sup> Precinct where she attempted to make a police report and was turned away twice. Officer Seide, but not Respondent, was present the second time Complainant attempted to file a police report at the 17th Precinct. (Tr. 23-25, 33)

Sergeant Wong testified that she interviewed Respondent regarding this incident and showed her the video footage (Dept. Ex. 1). She stated that Respondent denied having any interaction or hearing any interaction with Complainant, but she later conceded that a reasonable person would have been able to hear the interaction from her distance to Complainant. Sergeant Wong also testified that she reviewed a recorded interview of Complainant, wherein Complainant stated that Respondent told her, "I'm sorry this happened to you." (Tr. 31, 37, 41-42)

Sergeant Wong explained that, even if Complainant had not been interested in filing a police report, it would have been proper procedure for Respondent to prepare a Jane Doe report for the assault she had been made aware of by Complainant. According to Sergeant Wong, Respondent had a duty as an on-duty police officer to prepare a report and take police action. Sergeant Wong stated that Respondent's restrictive duty status due to her pregnancy did not prevent her from taking a complaint report. (Tr. 31-33, 42-43)

An analysis of this charge requires two questions to be answered: (1) was Respondent aware that Complainant was reporting a crime, and, if so, (2) did Respondent have a duty to investigate and prepare a report. I find that the answer to both questions is yes.

The preponderance of the evidence presented at trial proved that Respondent more likely than not was aware that Complainant was reporting a crime during the almost eight minutes she was standing at the TS desk. Officer Seide testified that she heard Complainant state that she had been hit in the face, provide a general description of the assailant, and convey where the assault occurred. During the time Complainant relayed this information, Respondent was standing approximately two feet away from Complainant. As evidenced by the video footage, Respondent's body was angled towards and facing Complainant, throughout the entirety of the encounter, but for the few seconds that she looked down at her phone. As Respondent conceded, a reasonable person in her position would have heard what Complainant was saying.

Based on the direction she was facing, Respondent also would have seen Complainant's injured lip and observed her making gestures towards her face and appear to be crying. Seeing this should have caused Respondent to at least inquire as to what had happened to Complainant, if she in fact had not heard the information. In addition, Complainant's hearsay statement that Respondent said she was sorry about what happened supports the conclusion that Respondent was aware an assault had taken place.

Also, it is very clear from the video footage that Respondent engaged in direct conversation more than once with Complainant, and one of those exchanges lasted approximately one minute. The length of the interaction makes it more likely than not that Respondent engaged in a conversation with Complainant that involved more than just identifying



a Transit District, as Respondent claimed. I find it is clear from the facts that Complainant was reporting a crime, and that Respondent was aware Complainant was a victim of a crime.

As I have concluded that Respondent was aware Complainant was a victim of a crime, at issue is whether she had a duty to investigate and prepare a complaint report at the 17<sup>th</sup> Precinct. Respondent herself acknowledged that a complaint report is to be taken where the complainant reports the crime, no matter where the crime happened (Tr. 100). Under Operations Order dated January 17, 2012, (Proper Preliminary Investigations of Complaints, Complaint Recording and Accurate Classification of Complaints) Members of Service who (during the course of the initial interaction with a complainant) are informed that the complainant has been the victim of a crime, must document that incident on a Complaint Report Worksheet. The Order also states that Members of the Service may not refer the complainant to another command or jurisdiction with a police agency in situations where the incident occurred in a different command or jurisdiction within New York City. Therefore, a complaint report concerning the assault on Complainant should have been prepared at the 17<sup>th</sup> Precinct. Respondent, however, argued that she had no duty to investigate or prepare this complaint report in this case for several additional reasons.

Respondent argues that she was not assigned to the TS at the time Complainant was at the precinct, and, therefore, only Officer Seide should be held accountable. I reject this argument. Respondent was a police officer on-duty at the time Complainant reported a crime, and whether she was specifically assigned to the TS is not relevant. Upon hearing that a crime had been committed, Respondent had an obligation as an on-duty police officer either to prepare the complaint report or to ensure that the complaint report was documented at the 17<sup>th</sup> Precinct. As Respondent became aware that Officer Seide intended to send Complainant away without

preparing a report, the obligation shifted to Respondent to ensure a complaint report was prepared at the 17<sup>th</sup> Precinct.

Furthermore, I reject Respondent's argument that she was not responsible for preparing a complaint report because she was told by EEO that she did not need to prepare complaint reports. Unlike Respondent's explicit accommodations granted by EEO in the letter she introduced into evidence regarding the incident from December 23, 2017, (Resp. Ex. A), no similar document from EEO or other evidence, was produced to support Respondent's claim that she was exempt from writing complaint reports. The evidence, therefore, does not support Respondent's claim. Even if I were to credit her testimony on this issue, it does not relieve her of her obligation to ensure that the complaint report was prepared by a Member of the Service at the 17<sup>th</sup> Precinct.

Accordingly, I find Respondent Guilty of the sole Specification in this case.

Disciplinary Case No. 2019-20413

Respondent is charged with being absent from her assignment without permission or police necessity. It is undisputed that on December 23, 2017, at approximately 0930 hours, Respondent was granted permission to take a break by Lieutenant Palaj. Respondent left the 17<sup>th</sup> Precinct, and she was absent for approximately one hour. A cadet covered her TS assignment while she was gone. Respondent, who was pregnant and on restricted duty, contends that she was granted a one-hour meal break by Lieutenant Palaj. The Department's position is that she was merely granted a coffee break and was not entitled to be off post for one hour.

Lieutenant Palaj testified that he was assigned to the second platoon at the 17<sup>th</sup> Precinct on December 23, 2017. He explained that he did not have regular interactions with Respondent

as he was usually assigned as the Third Platoon Commander. He had only been assigned to the second platoon, which is Respondent's assigned tour of duty, for that day. When Respondent requested to get a cup of coffee at approximately 0929 hours, Lieutenant Palaj granted her permission for the coffee break. A cadet was assigned to cover Respondent's assignment until she returned. After approximately 30 minutes, Lieutenant Palaj noticed that Respondent failed to return, and he directed Officer Seide to contact Respondent to find out where she was. After Respondent told Officer Seide that she had gone to the bank, Lieutenant Palaj instructed Officer Seide to direct her to return immediately. He stated that Respondent returned to the precinct at approximately 1030 hours, which was one hour after she initially left for the coffee break and 30 minutes after he had directed her to return. Lieutenant Palaj stated, "If a supervisor requested [him] to return after 30 minutes, [he] would return immediately." (Tr. 46-48, 50-51, 56)

Lieutenant Palaj further testified that, when Respondent returned to the precinct, he directed her to approach the desk and inquired about her whereabouts since she had been gone for over an hour. After Respondent told him that she went to get a cup of coffee and went to the bank, he expressed to her that it was "a little excessive" to spend an hour to get coffee and run to the bank. When Lieutenant Palaj asked her which bank she visited, Respondent told him that she did not feel comfortable answering that question without representation. Respondent asked Lieutenant Palaj if she could take the coffee break as her meal. He told her that she would have had to initially request a meal instead of requesting to get a cup of coffee, as it is not normal practice to grant a meal retroactively. He was not given any indication that Respondent had accommodations where she could take her meal time whenever she wanted. Lieutenant Palaj instructed her to report back to TS and issued her a Command Discipline, for which a penalty of two hours was imposed by the commanding officer. (Tr. 48-49, 51, 57-58)

Sergeant Singh testified that he was working as a patrol sergeant at the 17<sup>th</sup> Precinct on December 23, 2017, when he observed Respondent ask Lieutenant Palaj if she could take a coffee break. He explained that a coffee break request is a normal occurrence, and 15 to 20 minutes is typically allowed for the break. Sergeant Singh stated that, at approximately 1000 hours, Lieutenant Palaj asked for Respondent's whereabouts and instructed someone in the room to call her since she had not returned. He testified that Respondent returned to the precinct at approximately 1030 hours where Lieutenant Palaj proceeded to ask her what she had been doing. When Respondent did not reveal her whereabouts, Lieutenant Palaj told her that she is supposed to inform him when she is going to be absent for a long period of time. Respondent told him that she would take her meal since one hour had passed, but Lieutenant Palaj replied that she could not do so since she had to request a meal from the desk. Sergeant Singh testified that it is "not normal practice" to retroactively assign a meal in a situation where someone is out for a greater period of time. (Tr. 11-14, 17-18)

Officer Seide testified that she did not observe any interaction between Lieutenant Palaj and Respondent on December 23, 2017, but she confirmed that, in response to his direction, she called Respondent and told her the Lieutenant was looking for her. (Tr. 72-73)

Respondent testified that on December 23, 2017, while assigned to the TS, she felt dizzy from not eating breakfast so she went to Lieutenant Palaj and said, "63?" which is the code to request a meal. Lieutenant Palaj instructed her to go get a cadet to relieve her at the TS, which she did. Respondent then left the precinct and went to a restaurant, the bank and Starbucks. When she returned to the precinct, Lieutenant Palaj stated that she had been gone for 62 minutes, and she was confused as to why there was a problem. When he asked her a question, she started

feeling dizzy and told him she did not want to talk without a representative present. Respondent denied ever telling Lieutenant Palaj that she just needed ten minutes to get coffee. (Tr. 87-90)

In analyzing this case, I credit the consistent testimony of the two witnesses, Lieutenant Palaj and Sergeant Singh, that Respondent asked for a coffee break and not a meal break. Both witnesses testified in a straightforward, credible manner and had no apparent bias towards Respondent. Lieutenant Palaj had only been assigned as Respondent's supervisor for the particular day in question. Officer Seide also corroborated the fact that Lieutenant Palaj asked Officer Seide to find Respondent after she had been gone only 30 minutes, which supports his version of events that the break he granted to Respondent was not a one-hour meal break.

I reject Respondent's argument that she was granted a meal break because she came back after one hour's time, which is the amount of time permitted for a meal break. Respondent only returned to the precinct after she was instructed to do so and told that Lieutenant Palaj was looking for her. Therefore, it is impossible to know when Respondent would have actually returned on her own.

Accordingly, I find Respondent Guilty of the sole specification in this case.

## PENALTY

In order to determine an appropriate penalty, the Tribunal, guided by the Department Disciplinary System Penalty Guidelines ("Disciplinary Guidelines"), considered all relevant facts and circumstances, including any aggravating and mitigating factors established in the record. Respondent's employment record was also examined. *See* 38 RCNY 15-07. Information from

Respondent's personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respondent, who was appointed to the Department on July 20, 2006, has been found guilty of failing to conduct a proper police investigation and failing to prepare a complaint report (*Disciplinary Case No. 2018-19055*) and being absent from her assignment without permission or police necessity (*Disciplinary Case No. 2019-20413*). Respondent was found not guilty of wrongfully making computer inquiries on a Department computer (*Disciplinary Case No. 2017-18086*). The Department recommended a penalty of the loss of 15 days for the alleged misconduct in all three disciplinary cases.

Under the Disciplinary Guidelines, the presumptive penalty for failing to prepare a required report is five (5) days and the presumptive penalty for being off-post is five (5) days. After evaluating all potential aggravating or mitigating factors as outlined in the guidelines, the Tribunal finds none that apply to either finding of misconduct in this matter.

I reject Respondent's arguments that her failure to prepare a complaint report for an assault victim is mitigated since Officer Seide accepted responsibility for the misconduct and was penalized for her failure to prepare the complaint report. Respondent was on-duty and aware that Complainant had been assaulted, and, therefore, was also responsible for ensuring that the complaint report was prepared at the 17<sup>th</sup> Precinct, instead of sending Complainant away to file the complaint report at another location.

I also reject Respondent's position that it is a mitigating factor that Lieutenant Palaj, at the time of the incident, felt that a Command Discipline with the loss of two hours was an appropriate penalty for Respondent being off-post. Respondent is in no way being penalized for rejecting that offer, as she has every right to demand a hearing on the charge, which she has

done. However, a goal of the Disciplinary Guidelines is that discipline will be meted out fairly and consistently. Application of those principles leads the Tribunal to recommend the imposition of the presumptive penalty in this case.

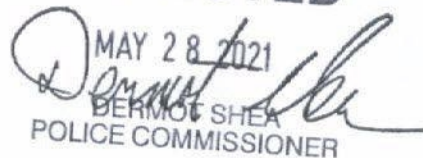
Respondent did not serve any suspension days pertaining to these cases. Accordingly, consistent with the Disciplinary Guidelines, I recommended a penalty of the loss of ten (10) vacation days.

Respectfully submitted,



Nancy R. Ryan  
Assistant Deputy Commissioner Trials

**APPROVED**



MAY 28 2021  
DERMOT SHEA  
POLICE COMMISSIONER



## POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials  
To: Police Commissioner  
Subject: CONFIDENTIAL MEMORANDUM  
POLICE OFFICER MARK RUPPERT  
TAX REGISTRY NO. 954305  
DISCIPLINARY CASE NO. 2019-20348

Respondent was appointed to the Department on January 9, 2013. On his last three performance evaluations, Respondent twice received 4.5 overall ratings of "Extremely Competent/Highly Competent" for 2015 and 2016 and received a 4.0 overall rating of "Highly Competent" in 2014. He has been awarded nine medals for Excellent Police Duty, five medals for Meritorious Police Duty and one Commendation.

Respondent has no disciplinary record.

For your consideration.

Nancy R. Ryan  
Assistant Deputy Commissioner Trials